

APR 18 2016

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

ADAM PELLETIER, ) Civil Action No. 7:15-cv-00427  
Plaintiff, )  
 )  
v. ) **ORDER**  
 )  
HAROLD CLARKE, ) By: Hon. Michael F. Urbanski  
Defendant. ) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

**ORDERED**

that Respondent's motion to dismiss is **GRANTED**; the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** without prejudice; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 18<sup>th</sup> day of April, 2016.

*Michael F. Urbanski*

United States District Judge